

REMARKS

Claims 7-9 are pending in the present application.  
Claim 10 has been cancelled without prejudice.

It is believed that the present application has been amended in a manner that places it in condition for allowance at the time of the next Official Action.

In the outstanding Official Action, claims 7-9 were rejected under 35 USC §102(e) as allegedly being anticipated LINHARES et al. 6,030,377. Claims 7 and 10 were rejected under 35 USC §102(b) as allegedly being anticipated by WAKSMAN et al. 5,683,345. It is believed that these rejections have been obviated by the present amendment.

Independent claim 7 has been amended to recite a catheter for the transfer of embryos into female genital organs. The catheter comprises an elongated member having a first passage that extends from a distal end of the catheter. The passage is open at the distal end. A second passage is present that is parallel to but spaced apart from the first passage. The second passage is closed at both ends and contains an echogenic material at the level of the open distal end of the first passage. This allows to visualize the position of the open distal end in the area where the transfer of the embryos takes place.

While LINHARES et al. and WAKSMAN et al. both disclose catheter systems, applicants believe LINHARES et al. and WAKSMAN et al. fail to disclose or suggest the claimed invention.

LINHARES et al. relate to a method of marking a percutaneous transmyocardial revascularization channel comprising inserting a catheter into a chamber of a heart, applying tissue ablative energy through the catheter to create a channel into the heart wall, and introducing an imaging medium for marking the position of that channel for electronic imaging. The catheter includes a treatment catheter having its proximal end interconnected with a source of tissue ablative energy and its distal end having means for applying that energy to the heart wall to create a channel in it. The catheter also includes a marking catheter having means for introducing an imaging medium into the heart wall proximate the channel created by the treatment catheter. LINHARES et al. teach that the imaging medium may include a radiopaque dye.

WAKSMAN et al. relate to an apparatus and method for delivering a treating element such as radiation to a patient. WAKSMAN et al. teach that a catheter can be used to help deliver the treating element. The catheter comprises an elongated flexible tube having a proximal end portion adapted to remain outside the patient's body, a distal end portion adapted to be positioned at a selected location within the vascular system of

the patient, and a lumen extending therebetween. The diameter of the catheter tube is sufficiently small so that it may be inserted into the patient's vascular system. A port is provided at the proximal end portion of the tube, through which a blood-compatible liquid may be introduced from a source of such liquid into the lumen. Alternatively, WAKSMAN et al. teach that an angioplasty balloon catheter having proximal and distal end portions, with a lumen extending therebetween may be used.

Upon reviewing LINHARES et al. and WAKSMAN et al., applicants respectfully submit that neither publication, alone or in combination with each other, disclose or suggest a catheter containing an echogenic material located at the distal end of the catheter. Moreover, neither publication discloses or suggests a device adapted for visualizing the position of the orifice of the catheter for the transfer of embryos from or into genital organs. Indeed, as noted above, both publications are directed to vascular catheters. Neither LINHARES et al. nor WAKSMAN et al. disclose a catheter for transferring embryos.

Thus, it is believed that both publications, alone or in combination with each other, fail to anticipate or render obvious the claimed invention.

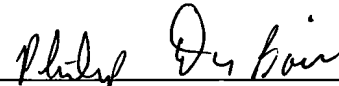
From the foregoing remarks, it is believed that the rejections set forth in the Official Action have been obviated.

As a result, applicants believe that the present application is now in condition for allowance.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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